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COMMITTEE ON THE RIGHTS OF THE CHILD

Seventh session

SUMMARY RECORD OF THE 183rd MEETING

Held at the Palais des Nations, Geneva,
on Friday, 14 October 1994, at 11 a.m.

Chairperson: Ms. BADRAN

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The meeting was called to order at 11.40 a.m.

ADOPTION OF THE REPORT

1. Mrs. SANTOS PAIS (Rapporteur), introducing the draft report of the Committee on the seventh session (CRC/C/33), outlined its contents and said that the customary annexes would be added, together with a list of documents presented during the general discussion on "The role of the family in the promotion of the rights of the child".

2. The CHAIRPERSON suggested that the Committee should consider the draft report chapter by chapter.

3. It was so agreed.

Chapter I. Conclusions and recommendations adopted by the Committee on the Rights of the Child

4. Mrs. SANTOS PAIS (Rapporteur) pointed out that the chapter included three draft decisions relating to "Children in armed conflicts", "Informal regional meetings" and "Advisory services and technical assistance" respectively.

5. The draft decisions were adopted.

6. Chapter I was adopted.

Chapter II. Organizational and other matters

7. Mrs. SANTOS PAIS (Rapporteur) said that there were now 167 States parties to the Convention. The figure in the third line of paragraph 1 should be amended accordingly.

8. Mrs. RAADI (Secretary of the Committee), replying to a question by Mr. KOLOSOV, said that it was not the Committee's practice to refer in its report to statements such as that made by the Assistant Secretary-General for Human Rights at the first meeting of the session.

9. Chapter II, as amended, was adopted.

Chapter III. Reports by States parties under article 44 of the Convention

10. Mrs. SANTOS PAIS (Rapporteur) noted with satisfaction the very recent decision by the States parties that the Committee should hold three regular sessions annually in order to deal with the considerable number of reports.

11. She invited the Committee to consider in turn its draft observations on the reports considered during the seventh session, namely, those submitted by Honduras, Indonesia, Madagascar, Paraguay, Spain and Argentina. She drew special attention to the respective recommendations and suggestions put forward for the Committee's endorsement.

Honduras (CRC/C/15/Add.24)

12. Mrs. SARDENBERG, referring to paragraph 26 of the draft concluding observations on the initial report of Honduras (CRC/C/3/Add.17), suggested that it should be redrafted, firstly to bring out the point that the Hague Convention on Protection of Children and Cooperation in respect of Intercountry Adoption, unlike the "other relevant international instruments" alluded to, had not yet entered into force, and secondly, to include encouragement by the Committee to Honduras to sign and ratify the Hague Convention.

13. It was so agreed.

14. The concluding observations on the initial report of Honduras were adopted.

Indonesia (CRC/C/15/Add.25)

15. Mrs. SANTOS PAIS (Rapporteur) introduced the Committee's draft concluding observations on the initial report of Indonesia (CRC/C/3/Add.10). She noted that the Committee had already adopted a number of preliminary observations (CRC/C/15/Add.7) and had requested the State party to provide additional information in response to the concerns expressed. After examining the additional information (CRC/C/3/Add.26), the Committee had concluded its consideration of the initial report of Indonesia and adopted a number of observations. Its suggestions and recommendations were contained in paragraphs 18 to 28 of document CRC/C/15/Add.25.

16. Mr. HAMMARBERG felt that it should be made clear, perhaps by an interpretative statement on child labour, that the Committee's conclusions included a recommendation that Indonesia should apply international standards regarding the minimum age for employment.

17. The concluding observations on the initial report of Indonesia were adopted.

Madagascar (CRC/C/15/Add.26)

18. Mrs. SANTOS PAIS (Rapporteur) introduced the Committee's draft concluding observations on the initial report of Madagascar (CRC/C/8/Add.5). The Committee's suggestions and recommendations were contained in paragraphs 17 to 23 of document CRC/C/15/Add.26.

19. Ms. NOGUCHI (International Labour Organisation) asked which Convention was referred to in the last sentence of paragraph 21, which read "In this regard, the Committee further recommends that the State party consider seeking assistance from the ILO, in particular with a view to reinforcing its capacity to monitor the Convention."

20. Mrs. SANTOS PAIS (Rapporteur) said that the reference was to the Convention on the Rights of the Child: the text should be redrafted to make that clear.

21. The concluding observations, as amended, on the initial report of Madagascar were adopted.

Paraguay (CRC/C/15/Add.27)

22. Mrs. SANTOS PAIS (Rapporteur) introduced the Committee's draft preliminary observations on the initial report of Paraguay (CRC/C/3/Add.17). She drew particular attention to paragraphs 5 to 14, listing the principal subjects of concern, and to paragraphs 15 and 16, containing the Committee's recommendations and requests.

23. The preliminary observations on the initial report of Paraguay were adopted.

Spain (CRC/C/15/Add.28)

24. Mrs. SANTOS PAIS (Rapporteur) introduced the Committee's draft concluding observations on the initial report of Spain (CRC/C/8/Add.6).

25. The concluding observations on the initial report of Spain were adopted.

Argentina

26. Mrs. SANTOS PAIS (Rapporteur) said that, as stated at the end of paragraph 26 of the Committee's report, in view of the fact that the additional information requested from the Government of Argentina to supplement the initial report had been received too late to be taken fully into account during the dialogue with the State party, the Committee had decided to postpone the adoption of its concluding observations on Argentina until its following session.

27. The CHAIRPERSON invited the Committee to adopt chapter III of the report.

28. Mr. KOLOSOV recalled that in the case of three States parties (Maldives, Niger and Tanzania) a more complete version of their reports had been considered necessary, and that in the case of two others (Italy and Senegal) reports rearranged in accordance with the guidelines had been considered desirable. He asked whether that point should not be reflected in an additional paragraph in chapter III.

29. Mrs. SANTOS PAIS observed that a positive approach had so far been taken to the submission of reports. She would prefer letters of reminder or informal contacts rather than mentioning specific States parties in the report in a way that might be interpreted as blacklisting them.

30. Mrs. SARDENBERG endorsed the comments of the previous speaker. She was in favour of a cooperative approach when dealing with such matters.

31. Mr. KOLOSOV said his concern was that it was not within the competence of the Centre for Human Rights or the Committee secretariat to accept or reject State party reports. It was up to the Committee to evaluate each report.

32. Mrs. SARDENBERG reminded the Committee that in earlier discussions the possibility of solving such matters by means of consultation between the Bureau and the secretariat, with the Bureau consulting the Committee as a whole if necessary, had been suggested.

33. Mr. HAMMARBERG supported the course mentioned by the previous speaker. There should be no question of rejecting reports; the Committee should act in such a way that the spirit of cooperation between the States parties and the Committee was maintained. It should be assumed that a State party would welcome a constructive approach on the part of the Committee and would be prepared to take its suggestions into account. Ultimately, any decision to reformulate or recast a report would lie with the State party concerned.

34. Chapter III, as amended, was adopted.

Chapter IV. Overview of the other activities of the Committee

35. Chapter IV was adopted.

Chapter V. Draft provisional agenda for the eighth session

36. Chapter V was adopted.

Chapter VI. Adoption of the report

37. Chapter VI was adopted.

38. The report of the Committee on its seventh session (CRC/C/33), as amended, was adopted.

CLOSURE OF THE SESSION

39. The CHAIRPERSON thanked all members of the Committee, representatives of United Nations bodies, representatives of non-governmental organizations and members of the secretariat for their cooperation and efforts throughout the session.

40. She declared the seventh session of the Committee closed.

The meeting rose at 12.55 p.m.